

Exhibit O

U.S. Patent No. 6,983,343			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
1, 33, 37	"switch"	<p><u>PROPOSED CONSTRUCTION:</u> A device capable of changing the connection of a circuit.</p> <p><u>INTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • See 3:66-4:7; 4:17-24; 4:62-66; 5:50-52; Figs. 3-9 and accompanying text. <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • See <u>The Illustrated Dictionary of Electronics</u>, 7th Ed. (1997): Switch 1. A circuit or device (electronic, electromechanical, or mechanical) for opening and closing a circuit or for connecting a line to one or several different lines (e.g., a rotary selector switch) • See <u>Microsoft Press Computer Dictionary</u> (1991): Switch A circuit element that has two states, on and off. When on, a switch allows electrical signals to pass unimpeded. When off, it does not allow signals to pass. A switch can be mechanical, such as a household light switch, or electrically controlled, as in a relay. • See <u>IEEE Standard Dictionary of Electrical and Electronics Terms</u> (1984): Switch (3) A device for opening and closing or for changing the connection of a circuit. ... (5) 	<p><u>PROPOSED CONSTRUCTION:</u> Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean: "hardware and/or software to control an access path."</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> • '343 Patent, col. 2:45-48, 59-62, 66-67; col. 3:1-4, 9-34, 42-43, 54-55, 66-67; col. 4:1-49; col. 5:21-23, 43-46, 50-59; col. 6:64-67; col. 7:1-15; col. 8:7-20, 22-27, 49-67; col. 9:1-3; claims 1, 6, 19, 23, 37, 43, 46; Figs. 3-12 and accompanying description. • switch: ... (3) (computers) A device or programming technique for making a selection. for example. a toggle. a conditional jump. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, SIXTH ED. (IEEE Std 100-1996), p.1068-69. • switch: 1. a circuit element that has two states: on and off. 2. A control device that allows the user to choose one of two or more possible states. 3. In communications, a computer or electromechanical device that controls routing and operation of a signal path. MICROSOFT PRESS COMPUTER DICTIONARY, 3rd Ed. (1997) p. 454-55.

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		<p>A device for making, breaking, or changing the connections in an electric circuit.</p> <ul style="list-style-type: none"> • See <u>The Illustrated Dictionary of Electronics</u>, 2nd Ed. (1982): Switch 1. A circuit or device (electronic, electromechanical, or mechanical) for opening and closing a circuit or for connecting a line to one of several different lines, e.g., rotary selector switch. • One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '343 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<ul style="list-style-type: none"> • Testimony by Sun's expert, Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '343 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1, 19	"connect the first storage channel to the second storage channel in a second state"	<p><u>PROPOSED CONSTRUCTION:</u> Physically create an electrical pathway between the first storage channel and the second storage channel in a second state.</p> <p><u>INTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • See 3:66-4:7; 4:17-24; 4:62-66; 5:50-52; Figs. 3-9 and accompanying text. <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • See <u>The Illustrated Dictionary of Electronics</u>, 7th Ed. (1997): Connect To provide an electrical path between two 	<p><u>PROPOSED CONSTRUCTION:</u> Sun contends this phrase does not require construction because the phrase is clear on its face.</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> • '343 Patent, col. 2:45-48, 59-62, 66-67; col. 3:1-4, 9-34, 42-60, 66-67; col. 4:1-49, 53-67; col. 5:1, 22-29, 35-46, 50-59; col. 6:1-11; col. 7:1-15; col. 8:22-27, 31-33, 46-67; col. 9:1-3; Figs. 3-12 and accompanying description. • Testimony by Sun's expert, Dr. Smith, concerning the meaning of this term to one of

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		<p>points.</p> <ul style="list-style-type: none"> One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '343 patent. NetApp reserves the right to rely on any evidence identified by Sun. 	<p>skill in the art in the context of its use in the '343 patent.</p> <ul style="list-style-type: none"> Sun reserves the right to rely on any evidence identified by NetApp.
33	“connect the first Fibre Channel loop to the second Fibre Channel loop in a second state”	<p><u>PROPOSED CONSTRUCTION:</u> Physically create an electrical pathway between the first Fibre Channel loop and the second Fibre Channel loop in a second state.</p> <p><u>INTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> See 3:66-4:7; 4:17-24; 4:62-66; 5:50-52; Figs. 3-9 and accompanying text. <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> See <u>The Illustrated Dictionary of Electronics</u>, 7th Ed. (1997): Connect To provide an electrical path between two points. One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '343 patent. NetApp reserves the right to rely on any evidence identified by Sun. 	<p><u>PROPOSED CONSTRUCTION:</u> Sun contends this phrase does not require construction because the phrase is clear on its face. However, if the Court decides the construe this phrase, the phrase should be construed to mean:</p> <p>“connect the first storage channel containing the first Fibre Channel loop to the second storage channel containing the second Fibre Channel loop in a second state.”</p> <p><u>EVIDENCE:</u></p> <p>'343 Patent, col. 2:45-48, 59-62, 66-67; col. 3:1-4, 5-9-34, 42-60, 66-67; col. 4:1-49, 53-67; col. 5:1, 22-29, 35-46, 50-59; col. 6:1-11, 26-29, 37-44; col. 7:1-15; col. 8:22-27, 31-33, 46-67; col. 9:1-3; Figs. 3-12 and accompanying description.</p> <ul style="list-style-type: none"> Testimony by Sun's expert, Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '343 patent. Sun reserves the right to rely on any evidence

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37	"setting the switch in a second state to connect the first storage channel to the second storage channel"	<p><u>PROPOSED CONSTRUCTION:</u> Setting the switch in a second state to physically create an electrical pathway between the first storage channel and the second storage channel.</p> <p><u>INTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • See 3:66-4:7; 4:17-24; 4:62-66; 5:50-52; Figs. 3-9 and accompanying text. <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • See <u>The Illustrated Dictionary of Electronics</u>, 7th Ed. (1997): Connect To provide an electrical path between two points. • One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '343 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>identified by NetApp.</p> <p><u>PROPOSED CONSTRUCTION:</u> Sun contends this phrase does not require construction because the phrase is clear on its face.</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> • '343 Patent, col. 2:45-48, 59-62, 66-67; col. 3:1-4, 9-34, 42-60, 66-67; col. 4:1-49, 53-67; col. 5:1, 22-29, 35-46, 50-59; col. 6:1-11; col. 7:1-15; col. 8:22-27, 31-33, 46-67; col. 9:1-3; Figs. 3-12 and accompanying description. • Testimony by Sun's expert, Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '343 patent. • Sun reserves the right to rely on any evidence identified by NetApp.